THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 1436 of 2005

Dated: 01.09.2005

Between:

1. Smt. S. Sarada W/o Sudhakar Reddy, R/o 504, Kavya Block, Poojitha Estates Near ESI Hyderabad and another.

..... PETITIONERS

AND

1 The Anantapur Municipality Anantapur rep by Commissioner and others.

.....RESPONDENTS

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WRIT PETITION NO : 1436 of 2005

ORDER:

The petitioners are the owners of Ac.3.40 cents in survey number No.320 (P). They inherited the said property through their grand father.

It is the case of the petitioners that their grand father submitted a lay out plan to the Anantapur Municipality for approval. Thereupon, the 2nd respondent-Director of Town and Country Planning approved the tentative lay out. In the mean while, the original owner, from whom the grand father of the petitioners purchased, filed a W.P.No.22516 of 1995. The said writ petition ended in dismissal on 27.01.2003. Thereafter, the petitioners approached the authorities for release of the final lay out. Since the authorities have not released the final lay out, the petitioners have chosen to approach this Court by invoking the jurisdiction under Article 226 of Constitution of India.

Heard the learned counsel for the petitioners and the learned Standing counsel appearing on behalf of respondents 1 and 2.

Learned counsel for the petitioners submits that the grand father of the petitioners paid necessary fess for approval of the tentative lay out and no further amount is required to be paid by the petitioners and thus, the action of the respondents in not releasing the final lay out is not proper and legal.

It appears that the petitioners submitted a representation dated 22.12.2004 to the 2nd respondent for approval of the tentative lay out and for release of the final lay out and the said representation is stated to be pending.

In that view of the matter, I deem it appropriate to dispose of the writ petition with a direction to the 2nd respondent to consider the representation and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of.

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01.09.2005

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